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IAP9 Rec'd PCT/PTO 23 DEC 2009

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

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Craig B. Bailey, Reg. No. 28,786

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Appl. No.

: Unassigned

**Applicant** 

: Patrick J. Sullivan

Int'l Appln. No.

: PCT/US2004/020767

Int'l Filing Date

: 28 June 2004

Art Unit

: Unassigned

Examiner

: Unassigned

Docket No.:

: HOANA-72375

Customer No.

: 24201

MAIL STOP: PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to the duty of disclosure set forth in 37 C.F.R. §1.56 and in accordance with the procedures set forth in 37 C.F.R. §§ 1.97 and 1.98, the Applicant hereby submits for the Examiner's consideration the references listed on the attached PTO Form PTO/SB/08a. A copy of each reference (other than U.S. patents and patent application publications) is enclosed.

The references include the International Search Report and the documents considered to be relevant therein from the corresponding PCT International Application for this U.S. National Stage application.

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As provided for by 37 C.F.R. §§ 1.97(g) and (h), no inference should be made that any of the references cited herein constitute prior art merely because they are included in this statement.

The Applicant respectfully requests that the cited references be expressly considered by the Examiner during the prosecution of this application, and that the references be made of record in these proceedings and be included in the list of references cited in the application file and printed patent.

This Information Disclosure Statement is being filed within three months of the date of entry into the U.S. National Stage and before the mailing of a first Office Action on the merits. Hence, Applicants believe that no fee is required for submission of this Statement. However, if a fee is required, the Commissioner is authorized to charge such fee to our Deposit Account No. 06-2425. A duplicate copy of this paper is enclosed.

Respectfully submitted,

**FULWIDER PATTON LLP** 

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03/07/2008

Considered

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number Application Number Application Number Substitute for form 1449A/PTO June 28, 2004 Int'l Filing Date INFORMATION DISCLOSURE Patrick K. Sullivan First Named Inventor STATEMENT BY APPLICANT Unassigned Art Unit Unassigned Examiner Name (use as many sheets as necessary) Sheet HOANA-72375 1 of | 2 Attorney Docket Number U.S. Patent DOCUMENTS Document Number Name of Patentee or Pages, Columns, Lines, Where Examiner Cite **Publication Date** Number Kind Code<sup>2</sup> Applicant of Cited Relevant Passages or Relevant Initials\* No MM-DD-YYYY (if known) Document Figures Appear 4,245,648 01-20-1981 Trimmer et al 4,429,699 02-07-1984 Hatschek 4,459,991 07-17-1984 Hatscheck 4,475,557 Hatschek et al. 10-09-1984 5,241,964 09-07-1993 McQuilkin 5,282,474 02-01-1994 Valdes Sosa et al. 5,309,916 05-10-1994 Hatschek 5,846,206 12-08-1998 Bader 5,942,979 08-24-1999 Luppino 5,964,720 10-12-1999 Pelz 6,195,008 02-27-2001 Bader 6,248,064 06-19-2001 Gopinathan et al. 6,315,719 11-13-2001 Rode et al. 6,375,621 04-23-2002 Sullivan 6,475,153 11-05-2002 Khair et al. 6,497,658 12-24-2002 Roizen et al. 6,506,153 01-14-2003 Littek et al. 2003/0018241 01-23-2003 Mannheimer 6,540,673 04-01-2003 Gopinathan et al. 6,575,902 06-10-2003 Burton 6,648,828 11-18-2003 Friedman et al. 6,652,466 11-25-2003 Sugo et al. 6,689,069 02-10-2004 Bratteli et al. 6,746,403 06-08-2004 Kolluri et al. US 2004/0111045 06-10-2004 Sullivan et al. 11-30-2004 6.826.426 Lange et al. US 2005/0190062 09-01-2005 Sullivan et al. FOREIGN PATENT DOCUMENTS Pages, Columns, Lines Foreign Patent Document Examiner Cite **Publication Date** Name of Patentee or Applicant Where Relevant T<sup>6</sup> Initials\* Kind<sup>5</sup> MM-DD-YYYY of Cited Document Passages or Relevant Office3 Number<sup>4</sup> Figures Appear (if known) wo 03/082111 10-06-2003 Oceanit Laboratories,Inc. Examiner Date

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

/Navin Natnithithadha/ (03/07/2008)

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